

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MASSACHUSETTS

In Re: ) Chapter 13  
ANDREW GREENHUT ) Case No. 19-10782-FJB  
Debtor )  
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RESPONSE OF GLORIA AND ALAN GREENHUT TO DOCUMENT 66 -  
OBJECTION OF CREDITOR, GITA SRIVASTAVA TO CLAIM ASSERTED BY  
DEBTOR'S PARENTS

To the Honorable Frank J. Bailey, Bankruptcy Judge:

Gloria and Alan Greenhut (the "Debtor's Parents") submit the following response to the Objection of Creditor, Gita Srivastava (the "Creditor") to Claim Asserted by Debtor's Parents – Document No. 66 (hereinafter the "Objection"). The Objection was filed on June 20, 2019 and pursuant to applicable Local Rule, a response is due on or before July 20, 2019.

1. The statement in Paragraph 1 of the Objection is admitted.
2. The statements in Paragraph 2 of the Objection are admitted.
3. The statement in Paragraph 3 of the Objection regarding the term "purported" is denied. The Debtor's Parents deny that funds were "given" to the Debtor. The last loan was October 15, 2018. The Loans were actually made by the Debtor's Parents.
4. The Debtor's Parents admit that a proof of claim was filed in the amount of \$219,167.24.
5. The Debtor's Parents admit that the promissory note was dated and signed on December 7, 2018. The Debtor's Parents deny that the promissory note was purported. The Debtor's Parents have no knowledge if several garnishments

were in place. The Debtor's Parents have no knowledge of the allegations in footnote 1 in Paragraph 5 of the Objection but the Debtor's Parents deny there is or was a false labeling of parental gifts as loan.

6. The Debtor's Parents admit that the promissory note was signed after the funds were loaned to the Debtor. The second sentence of Paragraph 6 is admitted.
  - (a) The allegation in this sub-paragraph is denied.
  - (b) The allegation in this sub-paragraph is denied.
  - (c) The allegation in this sub-paragraph is denied.
  - (d) The allegation in this sub-paragraph is denied.
7. The allegations in paragraph 7 are denied. The Debtor's parents deny that the Claim should be disallowed.
8. The Chapter 13 Plan, presently on file with this Court, Document No. 26, is a fixed Percentage Plan which provides for allowed claims to be paid a dividend of 27.17% of the allowed claim.
9. The Creditor does not have standing to assert this objection.

WHEREFORE, the Debtor's Parents request that this Objection be overruled.

Alan and Gloria Greenhut  
By their Counsel,

Dated: July 16, 2019

/s/Gary W. Cruickshank, Esq.  
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CERTIFICATE OF SERVICE

I, Gary W. Cruickshank, hereby certify that on July 16, 2019, I electronically filed with the Clerk of the Bankruptcy Court, the foregoing Response and served same in the following manner upon the interested parties:

Email service: via the Court's CM/ECF system which sent notification of such filing to the following:

- **Carolyn Bankowski-13-12** 13trustee@ch13boston.com
- **John Fitzgerald** USTPRegion01.BO.ECF@USDOJ.GOV
- **Richard N. Gottlieb** rnglaw@verizon.net, r39800@notify.bestcase.com
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/s/Gary W. Cruickshank, Esq.